From: Lippard, Ben
To: Hick, Patricia
Cc: Dinkins, Carol
Subject: Proposed language regarding CSO AOC financial assurance
Date: Friday, September 3, 2010 2:46:28 PM

Pat---

Here is the draft language we have worked up for CSO AOC financial assurance. Please let me know if you have any thoughts or comments.

Paragraph on financial assurance for CSO AOC

Respondent has selected, and EPA has approved, that the financial assurance described in Paragraph ___ shall be the trust fund established pursuant to the Diamond Alkali Superfund Site – Lower Passaic River Study Area Administrative Settlement Agreement and Order on Consent for Remedial Investigation and Feasibility Study, CERCLA Docket No. 02-2007-2009 ("LPRSA RI/FS AOC"), a copy of which is attached to this Settlement Agreement. While the parties to the LPRSA RI/FS AOC, other than Respondent, are not a party to this Settlement Agreement, those parties are participating in the funding of the Work and the provision of financial assurance for the Work. Accordingly, a representative of those parties shall execute this Settlement Agreement to confirm that this trust fund shall provide the financial assurance for the Work required under this Settlement Agreement.

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Thank You.